

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Belgray, Inc., :
Plaintiff(s), :
vs. : Case Number: 1:12cv668
Southwest Ohio Regional Council of : Chief Judge Susan J. Dlott
Carpenters Pension Plan & Trust, et al., :
Defendant(s) :

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on May 8, 2013 a Report and Recommendation (Doc. 10). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 11) and defendants filed a response to the objections (Doc. 12).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, it is **ORDERED** that Belgray's motion to dismiss (Doc. 6) is **DENIED**.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court